

### REMARKS

In the above-identified Office Action the claims of the application were rejected as being anticipated by the disclosure of the cited Amir published patent application, although the rejection of Claim 17 relied also upon the disclosure of the cited Wolf application. In response, Claims 13, 15 and 16 have been amended to more clearly recite the features of the invention that are believed to be patentably distinct over the cited prior art for the reasons set forth below.

Specifically, amended independent Claim 13 requires an image processing apparatus having a reproducing unit that is arranged to effect control of reproduction of a moving image in accordance with a predetermined reproduction time set in advance. Also, the invention determines whether the depression of a predetermined button occurs during the predetermined reproduction time, and if so the reproducing unit continues to reproduce the moving image even if the predetermined reproduction time is passed, to reproduce the moving image up to the end thereof and to start reproduction of a next still image or a moving image. If that first button is not pressed during the set reproduction time the reproducing unit stops reproducing the moving image. In addition, if it is determined that a second button is pressed during the reproduction of the moving image continued by the reproducing unit after the first button is determined to be pressed before the predetermined reproduction time is passed, then the reproducing unit terminates the continued reproduction of the moving image and starts reproduction of the next still image or moving image.

Accordingly, the present invention controls whether to continue or stop reproducing the moving image, in accordance with the relationship between the elapse of the

predetermined reproduction time set in advance and the depression timing of the first and second buttons. This is patentably distinct from reproduction switching between different media streams as described below with reference to the cited prior art.

In particular, it is respectfully submitted that the above-described features of the present invention are not disclosed in the Amir and Wolf references. Amir discloses, in Figs.1-2, to switch over reproduction between a skim video and a full length video in response to a click of a tab 18, while both of those videos have the same contents. That is, the implementation of Figs.1-2 of Amir requires two different media streams to attain the reproduction switching and fails to disclose to effect control of reproduction so as to stop reproducing the media stream if a predetermined reproduction time set in advance is passed without the tab 18 being clicked, and to continue to reproduce that media stream even if the predetermined reproduction time is passed, if the tab 18 clicked before the predetermined reproduction time is passed, as recited in the amended independent Claim 13. In addition, the cited Amir reference discloses in Fig. 3 to start a next video clip in response to click of a tab 84. However, it should be noted that the implementation of Fig. 3 is different from that of Figs.1-2. Therefore, the tab 84 is not used in the implementation of Figs.1-2 and the reference of Amir fails to disclose to control reproduction of the media stream in accordance with depression timing relationship of the tab 18 and the tab 84. The cited Wolf reference is relied on only as the prior art which teaches a digital camera included in an image processing apparatus, and therefore does not overcome the deficiencies of Amir as a rejecting reference.

For these various reasons it is respectfully submitted that the claims as now presented are allowable over the prior art, wherefore Applicant solicits the issuance of a Notice of Allowance.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 50-3939.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/John A. Krause/

John A. Krause  
Attorney for Applicant  
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200